



**CITY OF LODI  
COUNCIL COMMUNICATION**

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**AGENDA TITLE:** Adopt Resolution Approving Improvement Agreement for the Public Improvements of 2111 West Kettleman Lane (APN 027-410-21)

**MEETING DATE:** May 5, 2004

**PREPARED BY:** Public Works Director

**RECOMMENDED ACTION:** That the City Council adopt a resolution to approve the Improvement Agreement for the Public Improvements of 2111 West Kettleman Lane (APN 027-410-21) and direct the City Manager and City Clerk to execute the improvement agreement on behalf of the City.

**BACKGROUND INFORMATION:** The project site is located at 2111 West Kettleman Lane, as shown on Exhibit A. The development consists of a commercial office building and includes the extension of water, wastewater and storm drain facilities from Tienda Drive to serve the project site, as well as the adjacent parcels to the north and west, and undergrounding of existing overhead utilities on Kettleman Lane.

Design and installation of street frontage improvements on Kettleman Lane is also the developer's responsibility and is required with this project. The required improvements include curb, gutter, sidewalk, commercial driveway, side inlet catch basin, street pavement and streetlights. The listed improvements are included in the City's Kettleman Lane Gap Closure project which is currently under construction. The City is eligible for reimbursement for the costs associated with the Kettleman Lane improvements benefiting developer's property in conformance with Lodi Municipal Code 16.40 Reimbursements for Construction. Staff intends to return to Council when the Kettleman Lane Gap Closure project is complete and all costs are known, to establish an area of benefit and reimbursable costs for those improvements. Based on the costs available at this time, staff estimates that the costs to be reimbursed to City by developer will be on the order of \$40,000. Developer has agreed as part of the improvement agreement that acceptance of the public improvements for developer's project will be contingent upon payment of the reimbursable costs established by City Council.

**FUNDING:** Developer Funds

Richard C. Prima, Jr.  
Public Works Director

Prepared by Sharon A. Welch, Senior Civil Engineer  
RCP/SAW  
Attachment

cc: Senior Civil Engineer Fujitani  
Senior Civil Engineer Welch  
Giannoni Family Trust  
Dillon & Murphy

**APPROVED:**

H. Dixon Flynn, City Manager

When Recorded, Please Return to:  
Lodi City Clerk  
P.O. Box 3006  
Lodi, CA 95241-1910

RESOLUTION NO. 2004-85

A RESOLUTION OF THE LODI CITY COUNCIL APPROVING THE  
IMPROVEMENT AGREEMENT FOR THE PUBLIC IMPROVEMENTS OF 2111  
WEST KETTLEMAN LANE (APN 027-410-21) AND FURTHER AUTHORIZING  
THE CITY MANAGER TO EXECUTE THE IMPROVEMENT AGREEMENT ON  
BEHALF OF THE CITY OF LODI

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WHEREAS, the project site is located at 2111 West Kettleman Lane as shown on Exhibit A attached; and

WHEREAS, the development consists of a commercial office building and includes the extension of water, wastewater, and storm drain facilities from Tienda Drive to serve the project site, as well as adjacent parcels to the north and west, and undergrounding of existing overhead utilities on Kettleman Lane; and

WHEREAS, the design and installation of street frontage improvements on Kettleman Lane is also the developer's responsibility and is required with this project; and

WHEREAS, the *required improvements include curb, gutter, sidewalk, commercial driveway, side inlet catch basin, street pavement, and streetlights* and are currently included in the City's Kettleman Lane Gap Closure Project, which is presently under construction; and

WHEREAS, the City is eligible for reimbursement for the costs associated with the Kettleman Lane improvements benefiting the developer's property in conformance with Lodi Municipal Code 16.40 Reimbursements for Construction; and

WHEREAS, staff intends to return to Council when the Kettleman Lane Gap Closure project is complete and all costs are known to establish an area of benefit and reimbursable costs for those improvements, estimated to be approximately \$40,000; and

WHEREAS, the developer has agreed as part of the Improvement Agreement that acceptance of the public improvements for developer's project will be contingent upon payment of the reimbursable costs established by the City Council.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Lodi hereby approves the Improvement Agreement for the public improvements of 2111 West Kettleman Lane (APN 027-410-21) and directs the City Manager and City Clerk to execute the Improvement Agreement on behalf of the City of Lodi.

Dated: May 5, 2004

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I hereby certify that Resolution No. 2004-85 was passed and adopted by the City Council of the City of Lodi in a regular meeting held May 5, 2004, by the following vote:

AYES: COUNCIL MEMBERS – Beckman, Hitchcock, Howard, Land, and  
Mayor Hansen

NOES: COUNCIL MEMBERS – None

ABSENT: COUNCIL MEMBERS – None

ABSTAIN: COUNCIL MEMBERS – None

A handwritten signature in black ink, appearing to read "Susan J. Blackston", with a stylized, flowing script.

SUSAN J. BLACKSTON  
City Clerk



CITY COUNCIL

LARRY D. HANSEN, Mayor  
JOHN BECKMAN  
Mayor Pro Tempore  
SUSAN HITCHCOCK  
EMILY HOWARD  
KEITH LAND

# CITY OF LODI

## PUBLIC WORKS DEPARTMENT

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H. DIXON FLYNN  
City Manager  
SUSAN J. BLACKSTON  
City Clerk  
D. STEVEN SCHWABAUER  
Interim City Attorney  
RICHARD C. PRIMA, JR.  
Public Works Director

April 29, 2004

Giannoni Family Trust  
c/o Mr. John M. Giannoni, Jr.  
2960 Applewood Drive  
Lodi, CA 95242

Dillon & Murphy  
P.O. Box 2180  
Lodi, CA 95241-2180

SUBJECT: Adopt Resolution Approving Improvement Agreement for the  
Public Improvements of 2111 West Kettleman Lane (APN 027-410-21)

Enclosed is a copy of background information on an item on the City Council agenda of Wednesday, May 5, 2004. The meeting will be held at 7 p.m. in the City Council Chamber, Carnegie Forum, 305 West Pine Street.

This item is on the consent calendar and is usually not discussed unless a Council Member requests discussion. The public is given an opportunity to address items on the consent calendar at the appropriate time.

If you wish to write to the City Council, please address your letter to City Council, City of Lodi, P. O. Box 3006, Lodi, California, 95241-1910. Be sure to allow time for the mail. Or, you may hand-deliver the letter to City Hall, 221 West Pine Street.

If you wish to address the Council at the Council Meeting, be sure to fill out a speaker's card (available at the Carnegie Forum immediately prior to the start of the meeting) and give it to the City Clerk. If you have any questions about communicating with the Council, please contact Susan Blackston, City Clerk, at 333-6702.

If you have any questions about the item itself, please call Sharon Welch, Senior Civil Engineer, at 333-6800, extension 2659.



for : Richard C. Prima, Jr.  
Public Works Director

RCP/pmf

Enclosure

cc: City Clerk